IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH AGRAHAYANA, 1928

Bail Appl..No. 7626 of 2006()

OR 11/06 of Erumely Forest Range

: PETITIONER/ACCUSED;

KAMAL DAS @ AZAD,
AGED 33 YEARS, S/O.DASAPPAN,
THONDANMACKAL VEEDU, MUKKULAMTHAZHAM,
KOKKAYAL VILLAGE, PEERUMEDU.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTING FOREST RANGER,
ERUMELI FOREST RANGE.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 7626 of 2006

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Dated this the 3rd day of January, 2007.

ORDER

The learned counsel for the petitioner confined this application at the time of argument to O.R.No.11 of 2006 of Erumely Forest Range. The petitioner is the second accused in the said O.R. registered under Section 27(1)(e) and Clauses iii and iv of Kerala Forest Act, 1961. The petitioner seeks anticipatory bail.

2. On 29.9.2006, a teak tree was found cut and removed from the Vembili Teak Plantation and the above crime was registered. The sixth accused, who was arrested on 14.10.2006, implicated all the accused persons including the petitioner. Subsequently, the first accused was arrested on 13.11.2006. He also made confession to the Forest Officials regarding the involvement of A2 behind the cutting of the tree. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for

regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.Ramkukmar,
Judge.

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